

## § 32.52

*C. Big Game Hunting.* [Reserved]

*D. Sport Fishing.* Anglers may fish in Huntington Bay from the refuge shoreline when the refuge is open to visitors. All fishing is in accordance with state regulations.

### WERTHEIM NATIONAL WILDLIFE REFUGE

*A. Migratory Game Bird Hunting.* [Reserved]

*B. Upland Game Hunting.* [Reserved]

*C. Big Game Hunting.* We allow hunting of white-tailed deer within designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We allow archery and shotgun hunting of white-tailed deer within portions of the refuge during specific days between October 1 and January 31.

2. We require refuge permits. We limit the number of deer hunters permitted to hunt on the refuge. We will issue permits by random selection.

3. You must take the specified number of antlerless deer as noted in the refuge hunting regulations before taking an antlered deer.

4. You must have all applicable and valid hunting licenses, permits, stamps, and a photographic identification in your possession while hunting on the refuge.

5. You must limit driving to designated access roads and park only in designated areas. We prohibit use of motorized vehicles on the refuge to retrieve white-tailed deer.

6. You must display refuge parking permits face up on the vehicle dashboard while hunting.

7. We allow hunters to enter the refuge 1 hour before legal hunting hours, and they must leave the refuge no later than 1 hour after legal hunting hours.

8. We prohibit the use of dogs to hunt or pursue game. We prohibit driving deer by any means.

9. We prohibit shooting directly into the 500-foot (150-m) "No Hunt Buffer."

10. We prohibit the killing or crippling of any deer without the hunter making reasonable effort to retrieve the deer and retain it in his or her custody.

11. If assigned to Unit 5, hunters must hunt from portable tree stands and must direct aim away from public roads and private dwellings.

12. We allow only shotgun shells loaded with slugs during the firearms season.

13. Hunters must wear a minimum of 400 square inches (2,600 cm<sup>2</sup>) of solid-orange clothing, visible on head, chest, and back during the firearms season. Camouflage orange does not qualify because it is not solid.

14. We prohibit construction or use of any type of structure while hunting. We prohibit driving nails, spikes, screws, or other metal objects into any tree or hunting from any tree into which a nail, spike, screw, or other object has been driven (see §32.2(i)).

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15. We allow use of temporary or portable tree stands while hunting deer. You must clearly print your name and address on the stand. You must remove all stands or any blinds at the end of each hunt session (see §27.93 of this chapter).

16. You must report all serious accidents and injuries to refuge personnel as soon as possible and before leaving the refuge.

17. Failure to comply with Federal, State, or refuge regulations may lead to dismissal from the refuge and elimination of participation in future hunts.

18. Hunters must abide by all rules and regulations listed on the hunting permit.

19. We prohibit the use of any bait, salt, or enticement (see §32.2(h)).

20. A nonhunting adult possessing a valid New York State hunting license must accompany junior hunters (ages 14 and 15).

21. We prohibit the marking of any tree, trail, or other refuge feature with flagging, paint, reflective material, or any other substance.

22. You must use a safety harness and belt while hunting from a tree stand.

23. We allow scouting of hunting areas on the refuge only during designated times and days. We allow only permitted hunters to scout. We prohibit the use of dogs during scouting.

24. We prohibit the use of electronic calls during any hunting season.

25. We prohibit the trimming or cutting of branches larger than the diameter of a quarter.

*D. Sport Fishing.* Fishing is permitted on designated areas of the refuge subject to the following conditions:

1. Shore and boat fishing is permitted on that portion of the Carmans River between Sunrise and Montauk Highways.

2. Only boat fishing is permitted from Montauk Highway south to the mouth of the Carmans River.

3. Fishing is permitted only during daylight hours.

4. Spearfishing and taking of baitfish and frogs is not permitted.

[58 FR 5064, Jan. 19, 1993, as amended at 58 FR 29076, May 18, 1993; 59 FR 6695, Feb. 11, 1994; 60 FR 62045, Dec. 4, 1995; 63 FR 46919, Sept. 3, 1998; 65 FR 30787, May 12, 2000; 65 FR 56406, Sept. 18, 2000; 69 FR 54362, 54434, Sept. 8, 2004; 70 FR 54184, Sept. 13, 2005; 73 FR 33193, June 11, 2008; 74 FR 45694, Sept. 3, 2009; 77 FR 56053, Sept. 11, 2012]

### § 32.52 North Carolina.

The following refuge units have been opened to hunting and/or fishing, and are listed in alphabetical order with applicable refuge-specific regulations.

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### ALLIGATOR RIVER NATIONAL WILDLIFE REFUGE

*A. Hunting of Migratory Birds.* We allow hunting of migratory game birds on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. Hunters must possess and carry a valid refuge hunting permit.
2. We prohibit construction or use of a permanent blind.
3. We close the Farming Area to waterfowl hunting.
4. Each youth hunter must remain within sight and normal voice contact of an adult age 21 or older. An adult may directly supervise (up to two) youth hunters (age 15 and under), who must have successfully completed a State-approved hunter safety course and possess and carry proof of certification.
5. You may only possess approved nontoxic shot in the field (see §32.2(k)).
6. We allow retrieving dogs in designated areas. We prohibit the use of dogs in the Gum Swamp Unit.
7. We open the refuge to daylight use only, except that we allow hunters to enter and remain in open hunting areas from 1 hour before legal shooting time until one hour after legal shooting time.

*B. Upland Game Hunting.* We allow upland game hunting on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. Conditions A1, A4, A5, and A7 apply.
2. We only allow dog training during the corresponding hunt season.
3. We require a Special Use Permit to hunt raccoon or opossum from ½ hour after legal sunset until ½ hour before legal sunrise.
4. We allow the use of dogs in designated areas as shown in the refuge Hunting Regulations and Permit Map brochure.
5. We allow retrieving, pointing, and flushing dogs in designated areas. We prohibit the use of dogs in the Gum Swamp Unit.

*C. Big Game Hunting.* We allow hunting of white-tailed deer on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. Conditions A1, A4 (an adult may only supervise one youth hunter), A7 and B2 apply.
2. We close the Hyde county portion of the refuge to all hunting during State bear seasons.
3. We only allow pursuit/trailing dogs in designated areas as shown in the Refuge Hunting Regulations and Permit Map brochure.
4. Unarmed hunters may walk to retrieve stray dogs from closed areas and “no dog hunting” areas.

*D. Sport Fishing.* We allow fishing and frogging in accordance with State regulations subject to the following conditions:

1. We only allow fishing from legal sunrise to legal sunset.
2. We only allow pole and line, rod and reel, or cast net.
3. We require a Special Use Permit for fishing or frogging between legal sunset and legal sunrise.
4. You must only take frog by use of frog gigs.

### CEDAR ISLAND NATIONAL WILDLIFE REFUGE

*A. Migratory Game Bird Hunting.* We allow hunting of tundra swan, Canada and snow goose, brant, duck, and coot on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We allow hunting on 400 acres (160 ha) of marsh located along the southern border of West Bay and the eastern border of West Thorofare Bay between the John Day Ditch and the Thorofare Ditch. The hunt area extends 300 feet (90 m) from the shoreline into the marsh.
2. We allow portable blinds, but you must remove them (see §27.93 of this chapter) each day.
3. Hunters/hunt parties must not hunt closer than 150 yards (135 m) apart.
4. You may use decoys but you must remove them (see §27.93 of this chapter) daily upon completion of your hunting.
5. We only allow hunting during the State waterfowl seasons occurring in November, December, and January.
6. Each youth hunter must remain within sight and normal voice contact of an adult age 21 or older. An adult may directly supervise up to two youth hunters age 15 or younger who must have successfully completed a State-approved hunter safety course and possess and carry proof of certification.
7. We open the refuge to daylight use only, except that we allow hunters to enter and remain in open hunting areas from 1 hour before legal shooting time until 1 hour after legal shooting time.

*B. Upland Game Hunting.* [Reserved]

*C. Big Game Hunting.* [Reserved]

*D. Sport Fishing.* [Reserved]

### CURRITUCK NATIONAL WILDLIFE REFUGE

*A. Hunting of Migratory Birds.* We allow hunting of swan, goose, duck, and coot on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We require a North Carolina Waterfowl Hunt Permit or a Refuge Hunt Permit. You must carry a permit while hunting on the refuge.
2. You must hunt from assigned blind location.
3. We allow hunting from ½ hour before legal sunrise to 1 p.m.

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4. We allow access 1½ hours before legal shooting time, and all parties must be off the refuge by 2 p.m.

*B. Upland Game Hunting.* [Reserved]

*C. Big Game Hunting.* We allow hunting of deer and feral hog on limited dates in designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We require a refuge hunting permit (signed brochure) that hunters must sign and carry while hunting on the refuge.

2. Each hunter must pay an annual \$15 hunt permit (signed brochure) fee.

3. We allow the use of shotguns, muzzle-loading rifles/shotguns, pistols, and bows in designated units. We prohibit the use of all other rifles and crossbows.

4. Hunters may take two deer per day; there is no daily limit on feral hog.

5. Hunters must wear a minimum of 500 square inches (3,250 cm<sup>2</sup>) of hunter-orange material above the waist that is visible from all directions.

6. We prohibit the marking of trees and vegetation (see §27.51 of this chapter) with blazes, flagging, or other marking devices.

7. We allow hunters on the refuge from 1 hour before legal sunrise to 1 hour after legal sunset.

8. We allow the use of portable tree stands, but hunters must remove them daily (see §27.93 of this chapter).

9. Hunters may access the refuge by foot, boat, and/or vehicle, but we prohibit hunting from a boat or vehicle.

10. An adult at least age 21 may supervise only one youth under age 16. The youth must be within sight and normal voice contact of the adult.

*D. Sport Fishing.* [Reserved]

### GREAT DISMAL SWAMP NATIONAL WILDLIFE REFUGE

Refer to §32.66 Virginia for regulations.

### MACKAY ISLAND NATIONAL WILDLIFE REFUGE

*A. Migratory Game Bird Hunting.* [Reserved]

*B. Upland Game Hunting.* [Reserved]

*C. Big Game Hunting.* We allow hunting of deer on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We require a Refuge Deer Hunting Permit (signed brochure) that hunters must sign and carry while hunting on the refuge.

2. Each hunter must pay an annual \$15 hunt permit (signed brochure) fee.

3. We allow the use of shotguns, muzzle-loading rifles/shotguns, and bows. We prohibit the use of all other rifles and pistols.

4. We allow access to hunting areas from 5 a.m. until 8 p.m.

5. We prohibit carrying a loaded firearm on or within 50 feet (15 m) of gravel roads.

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6. We prohibit the marking of trees or vegetation (see §27.51 of this chapter) with blazes, flagging, or other marking devices.

*D. Sport Fishing.* We allow fishing on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We allow fishing only from legal sunrise to legal sunset from March 15 through October 15 with the exception that we allow fishing along the Marsh Causeway year-round. The 0.3 Mile Loop Trail and the terminus of the canal immediately adjacent to the Visitor Center are open year-round, but we close them during the Refuge Permit Deer Hunts.

2. All fishing lines must be attended.

3. Airboats are not permitted.

### MATTAMUSKEET NATIONAL WILDLIFE REFUGE

*A. Migratory Game Bird Hunting.* We allow the hunting of tundra swan, snow goose, duck, and coot on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We require refuge-issued permits (name and address) that you must validate at the refuge headquarters, sign, possess, and carry while hunting.

2. Each hunt participant must pay a \$12.50 daily user fee.

3. We restrict hunting to designated blinds assigned by refuge personnel.

4. Hunters may only shoot crippled waterfowl from outside the assigned blind.

5. There is a 30-shell limit per blind hunter per day.

6. You may use decoys, but you must remove them (see §27.93 of this chapter) daily upon completion of your hunt.

7. All waterfowl hunters must check out at the assigned station prior to leaving the refuge.

8. Shooting hours are from ½ hour before legal sunrise until 12 p.m. (noon). Hunting hours on the first day of the youth hunt are from 1 p.m. until legal sunset.

9. We allow the use of retrieving dogs, but dogs must be under voice command at all times (see §26.21(b) of this chapter).

10. We allow the taking of only Canada goose during the State September Canada goose season subject to the following conditions:

i. We allow hunting Monday through Saturday during the State season.

ii. The hunter must possess and carry a validated refuge permit (name and address) while hunting.

iii. We close the following areas to hunting of Canada goose: Impoundments MI-4, MI-5, and MI-6; in Rose Bay Canal, Outfall Canal, Lake Landing Canal, and Waupoppin Canal; 150 feet (45 m) from the mouth of the canals where they enter Lake Mattamuskeet; and 150 yards (135 m) from State Route 94.

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iv. We allow portable blinds, but hunters must remove them daily (see §27.93 of this chapter).

11. Each youth hunter age 15 or younger must remain within sight and normal voice contact of an adult age 21 or older. Youth hunters must have completed a State-certified hunter safety course and possess and carry the form or certificate. An adult may directly supervise up to two youth hunters age 15 or younger.

### *B. Upland Game Hunting.* [Reserved]

*C. Big Game Hunting.* We allow the hunting of white-tailed deer on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. The hunter must possess and carry a signed, validated refuge permit (name and address) while hunting.

2. We close to hunting areas along the Entrance Road, MI-4 impoundment, signed areas along State Route 94, areas around the refuge headquarters, and refuge residence area.

3. Hunters may take one antlered deer and one antlerless deer per day, or two antlerless deer per day.

4. Hunters may take deer with shotgun, bow and arrow, crossbow, or muzzleloading rifle/shotgun.

5. We allow hunters on the refuge from 1 hour before legal shooting time until 1 hour after legal shooting time.

6. Hunters can use boats to access hunt areas, but we prohibit hunting from a boat.

7. You must check all deer taken at the check station near refuge headquarters.

8. We allow the use of only portable blinds and deer stands. Hunters with a valid permit (name and address) may erect one portable blind or stand the day before the start of their hunt and must remove it at the end of the second day of that 2-day hunt (see §27.93 of this chapter). Any stands or blinds left overnight on the refuge must have a tag with the hunter's name, address, and telephone number.

9. Hunters must wear a minimum of 500 square inches (3,250 cm<sup>2</sup>) of hunter-orange material above the waist that is visible from all directions.

10. An adult may only supervise one youth hunter. The youth hunter must be within sight and normal voice contact of the adult.

11. We prohibit the use of all-terrain vehicles (ATVs) or off-highway vehicles (OHVs) (see §27.31(f) of this chapter).

12. We require consent from refuge personnel to enter and retrieve legally taken game animals from closed areas including "No Hunting Zones."

13. We allow the use of only biodegradable-type flagging. We prohibit affixing plastic flagging, dots, glow tacks, reflectors, or other materials to refuge vegetation (see §27.51 of this chapter).

*D. Sport Fishing.* We allow fishing for game and nongame fish and the catching of blue crabs on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We are open to sport fishing, bow fishing, and crabbing from March 1 through October 31 from ½ hour before legal sunrise to ½ hour after legal sunset, except we allow bank fishing and crabbing year-round from:

i. State Route 94;

ii. The north bridge and south of the north bridge at Lake Landing;

iii. The Outfall Canal water control structure;

iv. The Central Canal bridge on Wildlife Drive; and

v. Along the west main and east main canal between Entrance Road metal bridge and Number One East Canal as posted.

2. We allow bank fishing and crabbing from the North Carolina Highway 94 causeway 24 hours per day, year-round.

3. We allow motorized and nonmotorized fishing boats, canoes, and kayaks March 1 through October 31. We prohibit airboats, sailboats, Jet Skis, and windboards.

4. We prohibit bank fishing along the Entrance Road from State Route 94 to the Entrance Road metal bridge.

5. We prohibit herring dipping.

6. We allow crabbing subject to the following conditions:

i. We allow only five handlines and hand-activated traps per person. Owners must be in attendance, and anglers must remove all handlines and traps daily.

ii. We prohibit crab pots.

iii. Anglers may only take or possess 12 crabs per person per day.

### PEA ISLAND NATIONAL WILDLIFE REFUGE

*A. Migratory Game Bird Hunting.* [Reserved]

*B. Upland Game Hunting.* [Reserved]

*C. Big Game Hunting.* [Reserved]

*D. Sport Fishing.* We allow fishing and crabbing in accordance with State regulations subject to the following conditions:

1. We require a nighttime fishing permit for surf fishing between ½ hour after legal sunset and ½ hour before legal sunrise.

2. We prohibit fishing and crabbing North Pond, South Pond, and New Field Pond Impoundments.

### PEE DEE NATIONAL WILDLIFE REFUGE

*A. Migratory Game Bird Hunting.* We allow hunting of mourning dove on designated dates and areas of the refuge in accordance with State regulations subject to the following conditions:

1. We require all hunters to possess and carry a signed Refuge General Hunt Permit and government-issued picture ID while in the field.

2. Validly licensed adults, age 21 or older, holding applicable permits must accompany and supervise, remaining in sight and voice contact at all times, any youth hunters (under age 16). Each adult may supervise no more than two youth hunters. Youth hunters must possess and carry evidence of successful completion of a State-approved hunter education course.

3. We prohibit entering or crossing a “No Hunting Zone” or “Closed Area”. We prohibit the discharge of a weapon (see §27.42 of this chapter) within, into, or across a “No Hunting Zone” or “Closed Area”. We require consent from refuge personnel to enter a “No Hunting Zone” or “Closed Area” for the purpose of tracking and/or retrieving legally taken game animals.

4. We prohibit hunting on, from, or across any road open to public vehicle traffic. This includes the right-of-way which extends 30 feet (9 m) in either direction from the center of the road and all public parking areas.

5. We prohibit hunting on Sundays.

6. We prohibit the use of trail cameras. We define a trail camera as any unattended, self-powered photographic device that records photographic images.

*B. Upland Game Hunting.* We allow hunting of quail, rabbit, squirrel, raccoon, and opossum on designated dates and areas of the refuge in accordance with State regulations subject to the following conditions:

1. Conditions A1 through A6 apply (with the following exception to condition A2: Each adult may supervise no more than one youth hunter).

2. We require dogs on raccoon/opossum hunts. All dogs must wear a collar displaying the owner’s name, address, and phone number.

*C. Big Game Hunting.* We allow hunting of white-tailed deer on designated dates and areas of the refuge in accordance with State regulations subject to the following conditions:

1. Conditions A1 through A6 apply (with the following exception to condition A2: Each adult may supervise no more than one youth hunter).

2. We require each person participating in a muzzleloader or firearms quota hunt to possess a nontransferable refuge Special Use Quota Hunt Permit. You may apply for Quota Hunt Permits by submitting a completed Quota Deer Hunt Application (FWS Form 3-2354) available at the refuge office.

3. During deer hunts we prohibit hunters from entering the refuge earlier than 4 a.m., and they must leave the refuge no later than 2 hours after legal sunset.

4. Youth quota hunts are for hunters ages 10–15. We prohibit supervising adults from hunting while participating in a youth quota hunt. We allow no more than one supervising adult for each youth possessing a permit on quota hunts.

5. During refuge firearms deer hunts, all participants must wear at least 500 square inches (3,250 cm<sup>2</sup>) of unbroken, fluorescent-orange material above the waist as an outer garment while hunting and while en route to and from hunting areas.

6. We prohibit man driving for deer. We define a “man drive” as an organized hunting technique involving two or more individuals where hunters attempt to drive game animals from cover or habitat for the purpose of shooting, killing, or moving such animals toward other hunters.

7. We prohibit placing a tree stand on the refuge more than 4 days prior to the opening day of the deer hunt in which hunters will be participating, except for participants of the youth deer hunt, who may place tree stands no more than 7 days prior to the hunt day. Archery hunters must remove the tree stands (see §27.93 of this chapter) by the last day of that hunt. Muzzleloader and firearms hunters must remove tree stands by the day after the last day of that hunt.

8. You must wear a safety belt or harness at all times when using any tree stand or climbing equipment.

9. You must check all deer taken on the refuge at the refuge check station on the date of take prior to removing the animal from the refuge. If we do not have the check station staffed by refuge personnel, you must use the self-check-in procedures.

10. We prohibit the use of dogs for deer hunting.

11. We prohibit the use of plastic flagging.

12. We prohibit the use of all-terrain vehicles (ATVs) or off-highway vehicles (OHVs) (see §27.31(f) of this chapter).

13. During refuge muzzleloader and firearms deer hunts, we prohibit all other public use in refuge hunting areas.

14. We prohibit big game hunting within 100 feet (30 m) of any vehicle or road open to vehicle traffic.

*D. Sport Fishing.* We allow fishing on designated dates and areas of the refuge in accordance with State regulations subject to the following conditions:

1. We require all anglers to possess and carry a signed refuge Sport Fishing Permit (signed brochure) and government-issued picture ID while fishing in refuge waters.

2. We prohibit boats utilizing gasoline-powered motors.

3. You must unload and load boats by hand on all waters except those having designated launch ramps.

4. We prohibit possession or use of trotlines, set hooks, gigs, jug lines, limblines, snagging devices, nets, seines, fish traps, or other special devices.

5. We prohibit swimming.

#### POCOSIN LAKES NATIONAL WILDLIFE REFUGE

*A. Migratory Game Bird Hunting.* We allow hunting of duck, goose, swan, dove,

woodcock, rail, and snipe on designated areas of the refuge in accordance with State regulations subject to the following conditions

1. We prohibit hunting on the Davenport and Deaver tracts (which include the area surrounding the Headquarters/Visitor Center and Scuppernon River Interpretive Boardwalk), the Pungo Shop area, New Lake, refuge lands between Lake Phelps and Shore Drive, that portion of the Pinner Tract east of SR 1105, the portion of Western Road between the intersection with Seagoing Road and the gate to the south, and the unnamed road at the southern boundary of the refuge land located west of Pettigrew State Park's Cypress Point Access Area. We prohibit all public entry on Pungo Lake year-round. During November, December, January, and February, we prohibit all public entry on New Lake, Duck Pen Road (except that portion that forms the Duck Pen Wildlife Trail and Pungo Lake Observation point when the trail and observation point are open), and the Pungo Lake, Riders Creek, and Dunbar Road waterfowl banding sites.

2. We require consent from refuge personnel to enter and retrieve legally taken game animals from closed areas including "No Hunting Zones." We prohibit hunting firearms in all closed areas and No Hunting Zones.

3. We require all hunters to possess and carry a signed, self-service refuge general hunting permit (signed brochure) while hunting on the refuge.

4. We open the refuge for daylight use only (½ hour before legal sunrise to ½ hour after legal sunset), except that we allow hunters to enter and remain in open hunting areas from 2 hours before legal sunrise until 2 hours after legal sunset except on the Pungo Unit (see condition C6).

5. We allow the use of all-terrain vehicles (ATVs) only on designated ATV roads (see §27.31 of this chapter) and only to transport hunters and their equipment to hunt and scout. We allow ATV use only on the ATV roads at the following times:

i. When we open the ATV road and surrounding area to hunting;

ii. One week prior to the ATV road and surrounding area opening to hunting; and

iii. On Sundays, when we open the ATV road and surrounding area for hunting the following Monday.

6. Persons may only use (discharge) firearms in accordance with refuge regulations (50 CFR 27.42 and specific regulations in part 32). We prohibit hunting, taking, and attempting to take any wildlife from a vehicle while the passenger area is occupied or when the engine is running, except that:

i. We allow hunting from ATVs and other similarly classed vehicles (where we authorize them) as long as they are stationary and the engine is turned off; and

ii. We allow hunting from boats (where we authorize them) when the motor is off and all forward momentum from a motor has ceased.

7. We only allow the use of biodegradable-type flagging. We prohibit affixing plastic flagging, dots, glow tacks, reflectors, or other materials to refuge vegetation (see §27.51 of this chapter).

8. We prohibit migratory game bird hunting on the Pungo Unit.

9. You may possess only approved nontoxic shot (see §32.2(k)) while migratory game bird hunting on and west of Evans Road.

10. We only allow the use of portable blinds and temporary blinds constructed of natural materials, but we prohibit the cutting any live vegetation on the refuge (see §27.51 of this chapter). You must remove portable blinds (see §27.93 of this chapter) at the end of each day.

11. We allow the use of dogs to point and retrieve migratory game birds, but they must be under your immediate control at all times (see §26.21(b) of this chapter).

12. While hunting, we require youth hunters under age 16 to possess and carry proof that they successfully passed a State-approved hunter education course. Youth hunters may only hunt under the direct supervision of a licensed hunter over age 21. One licensed hunter over age 21 may supervise up to two migratory game bird youth hunters at a time.

*B. Upland Game Hunting.* We allow hunting of quail, squirrel, raccoon, opossum, rabbit, beaver, nutria, and fox on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. Conditions A1 through A7 apply.

2. We prohibit upland game hunting on the Pungo Unit.

3. We only allow the taking of beaver and nutria with firearms (see §27.42 of this chapter) and only during those times when we open the area hunted to hunting of other game animals with firearms.

4. We prohibit the hunting of raccoon and opossum during, 5 days before, and 5 days after the State bear seasons. Outside of these periods, we allow the hunting of raccoon and opossum at night but only while possessing a General Special Use Application and Permit (FWS Form 3-1383-G).

5. We allow those weapons authorized by the North Carolina Wildlife Resources Commission for taking upland game species except that we prohibit the use of rifles, other than .22-caliber rimfire rifles for hunting, and we prohibit the use of pistols for hunting.

6. You may possess only approved nontoxic shot (see §32.2(k)) while hunting upland game on and west of Evans Road.

7. We allow the use of dogs for pointing and retrieving upland game and for chasing rabbit (but not fox). The dogs must be under

your immediate control at all times (see §26.21(b) of this chapter), and we prohibit possession of buckshot or slugs while hunting with dogs.

8. You must wear 500 square inches (3,250 cm<sup>2</sup>) of fluorescent-orange material above the waist that is visible from all sides when hunting upland game.

9. While hunting, we require that youth hunters under age 16 must possess and carry proof that they successfully passed a State-approved hunter education course. Youth hunters may only hunt under the direct supervision of a licensed hunter age 21 or older. A licensed hunter age 21 or older may directly supervise up to two upland game youth hunters at a time.

*C. Big Game Hunting.* We allow hunting of deer, turkey, and feral hog on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. Conditions A1 through A7 apply.

2. You may hunt spring turkey only if you possess and carry a valid permit (General Special Use Application and Permit, FWS Form 3-1383-G). These permits are valid only for the dates and areas shown on the permit. We require an application and a fee for those permits and hold a drawing, when necessary, to select the permittees.

3. We allow those weapons authorized by the North Carolina Wildlife Resources Commission for taking big game species except that we prohibit the use of rifles or pistols for hunting. We allow hunters to take feral hog in any area that is open to hunting deer using only those weapons authorized for taking deer. We also allow hunters to take feral hogs with shotgun, muzzleloader, bow and arrow, and crossbow on the Frying Pan area tracts whenever we open those tracts to hunting any game species with firearms.

4. You may possess only approved nontoxic shot (see §32.2(k)) while hunting turkeys on the Pungo Unit.

5. We allow deer hunting with shotgun and muzzleloader on the Pungo Unit only while possessing a valid permit from the North Carolina Wildlife Resources Commission for the Pocosin Lakes National Wildlife Refuge Pungo Unit-either-sex deer special hunts that we hold in late September and October. We require a fee that validates the State permit to participate in these special hunts.

6. During the special hunts described in C5, we allow only permitted hunters on the Pungo Unit from 1½ hours before legal sunrise until 1½ hours after legal sunset.

7. Prior to December 1, we allow deer hunting with archery equipment as described by the North Carolina Wildlife Resources Commission on the Pungo Unit during all State deer seasons, except during the muzzleloader season and except during the special hunts described in C5.

8. Hunters must wear 500 square inches (3,250 cm<sup>2</sup>) of fluorescent-orange material above the waist that is visible from all sides while hunting deer and feral hog in any area open to hunting these species with firearms.

9. We allow the use of only portable deer stands (tree climbers, ladders, tripods, etc.). Hunters with a valid permit (State permit) for the special hunts described in condition C5 may install one deer stand on the Pungo Unit the day before the start of their hunt and leave it until the end of their hunt. Hunters must tag any stands left overnight on the refuge with their name, address, and telephone number. Hunters may use ground blinds, chairs, buckets, and other such items for hunting, but we require that you remove all of these items at the end of each day (see §27.93 of this chapter).

10. While hunting, we require youth hunters under age 16 to possess and carry proof that they successfully passed a State-approved hunter education course. Youth hunters may only hunt under the direct supervision of a licensed hunter age 21 or older. A licensed hunter age 21 or older may only supervise one big game youth hunter at a time.

11. We prohibit the use of dogs to track, chase, or in any way assist with the take of big game.

*D. Sport Fishing.* We allow fishing in accordance with State regulations subject to the following conditions.

1. We allow fishing in Pungo Lake and New Lake only from March 1 through October 31, except that we close Pungo Lake and the entire Pungo Unit to fishing during the special hunts described in condition C5.

2. We prohibit boats on Pungo Lake. We prohibit leaving a boat anywhere on the refuge overnight.

3. We allow fishing only from ½ hour before legal sunrise until ½ hour after legal sunset.

#### ROANOKE RIVER NATIONAL WILDLIFE REFUGE

*A. Migratory Game Bird Hunting.* We allow hunting of ducks and coots on designated areas of the refuge subject to the following condition: We require a State-issued refuge permit.

*B. Upland Game Hunting.* We allow hunting of squirrel, raccoon, and opossum on designated areas of the refuge subject to the following conditions:

1. We require a State-issued refuge permit.

2. You may possess only approved nontoxic shot while in the field.

*C. Big Game Hunting.* We allow hunting of white-tailed deer and turkey on designated areas of the refuge subject to the following condition: We require a State-issued refuge permit.

*D. Sport Fishing.* [Reserved]

## SWANQUARTER NATIONAL WILDLIFE REFUGE

*A. Migratory Game Bird Hunting.* We allow the hunting of tundra swan, snow goose, brant, duck, and coot on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We allow hunting on refuge marshlands that include Great Island, Marsh Island, and all of the refuge marshlands adjacent to Juniper Bay eastward to West Bluff Bay.

2. We prohibit hunting within the 27,000 acre (10,800 ha) Presidential Proclamation Area as posted.

3. We allow portable blinds. You must remove blinds (see §27.93 of this chapter) each day.

4. We prohibit hunters/hunt parties from hunting closer than 150 yards (135 m) apart.

5. You may use decoys, but you must remove them (see §27.93 of this chapter) daily upon completion of your hunt.

6. We allow hunting only during the State waterfowl season occurring in November, December, and January.

7. Each youth hunter must remain within sight and normal voice contact of an adult age 21 or older. An adult may directly supervise up to two youth hunters age 15 or younger who must have successfully completed a State-approved hunter safety course and possess and carry proof of certification.

8. We open the refuge to daylight use only (legal sunrise to legal sunset), except that we allow hunters to enter and remain in open hunting areas from 1 hour before legal shooting time until 1 hour after legal shooting time.

*B. Upland Game Hunting.* [Reserved]

*C. Big Game Hunting.* [Reserved]

*D. Sport Fishing.* [Reserved]

[58 FR 5064, Jan. 19, 1993, as amended at 58 FR 29076, May 18, 1993; 58 FR 29085, May 18, 1993; 59 FR 6695, Feb. 11, 1994; 59 FR 55187, Nov. 3, 1994; 60 FR 62045, Dec. 4, 1995; 61 FR 46397, Sept. 3, 1996; 63 FR 46919, Sept. 3, 1998; 65 FR 30787, May 12, 2000; 65 FR 56406, Sept. 18, 2000; 66 FR 46360, Sept. 4, 2001; 67 FR 58948, Sept. 18, 2002; 69 FR 54362, 54436, Sept. 8, 2004; 70 FR 54185, Sept. 13, 2005; 70 FR 56377, Sept. 27, 2005; 73 FR 33193, June 11, 2008; 76 FR 3986, Jan. 21, 2011; 76 FR 56081, Sept. 9, 2011; 77 FR 56054, Sept. 11, 2012]

## § 32.53 North Dakota.

The following refuge units have been opened for hunting and/or fishing, and are listed in alphabetical order with applicable refuge-specific regulations.

## ARROWWOOD NATIONAL WILDLIFE REFUGE

*A. Migratory Game Bird Hunting.* [Reserved]

*B. Upland Game Hunting.* We allow hunting of pheasant, sharp-tailed grouse, partridge, cottontail rabbit, and fox on designated areas of the refuge in accordance with State

regulations subject to the following conditions:

1. We allow hunting on the day following the close of the State firearm deer season through the end of the regular upland bird season.

2. We allow hunting of cottontail rabbit and fox on the day following the close of the State firearm deer season through March 31.

3. We allow access by foot travel only.

4. We prohibit open fires (see §27.95(a) of this chapter) and camping on the refuge.

*C. Big Game Hunting.* We allow deer hunting on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We prohibit entering the refuge before legal shooting hours on the opening day of firearms deer season. Thereafter, you may enter, but not shoot, prior to legal hours. We require all hunters to be off the refuge 1½ hours after legal sunset.

2. We allow deer hunting on the refuge during the State Youth Deer Season except in designated closed areas around refuge headquarters, the wildlife observation area, and the auto tour route. Consult the refuge hunting map for open and closed hunting areas during the State Youth Deer Season.

3. Firearm deer hunters may not enter the refuge after harvesting a deer unless unarmed (see §27.42(b) of this chapter) and wearing blaze orange.

4. We allow access by foot travel only. You may use a vehicle on designated refuge roads and trails to retrieve deer during the following times only: 9:30 to 10 a.m.; 1:30 to 2 p.m.; and ½ hour after legal sunset for 1 hour.

5. We allow only temporary tree stands and blinds. You must remove all tree stands and blinds at the end of each day (see §§27.93 and 27.94 of this chapter).

6. Condition B4 applies.

*D. Sport Fishing.* We allow fishing in accordance with State regulations subject to the following conditions:

1. We only allow boats, up to a maximum of 25 hp, on Arrowwood Lake and Jim Lake from May 1 to September 30 of each fishing year.

2. We allow bank fishing along major road rights-of-way during the entire State fishing season.

3. We allow bank fishing on interior portions of the refuge from May 1 through September 30 of each fishing year. We only allow walk-in access, except for designated areas.

4. We allow fishing in the bypass channel during the regular State fishing season. We allow walk-in access along maintenance trails from June 1 through September 30 of each fishing year.

5. We allow bow fishing for rough fish along road rights-of-way in accordance with